



Senate

General Assembly

File No. 725

January Session, 2011

Substitute Senate Bill No. 960

Senate, May 3, 2011

The Committee on Judiciary reported through SEN. COLEMAN of the 2nd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

***AN ACT EXEMPTING IMMEDIATE FAMILY MEMBERS OF MURDER
AND MANSLAUGHTER VICTIMS FROM THE JURY SUMMONING
PROCESS IN CERTAIN CRIMINAL ACTIONS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 51-217 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2011*):

3 (a) All jurors shall be electors, or citizens of the United States who
4 are residents of this state having a permanent place of abode in this
5 state and appear on the list compiled by the Jury Administrator under
6 subsection (b) of section 51-222a, who have reached the age of
7 eighteen. A person shall be disqualified to serve as a juror if such
8 person: (1) Is found by a judge of the Superior Court to exhibit any
9 quality which will impair the capacity of such person to serve as a
10 juror, except that no person shall be disqualified on the basis of
11 deafness or hearing impairment; (2) has been convicted of a felony
12 within the past seven years or is a defendant in a pending felony case
13 or is in the custody of the Commissioner of Correction; (3) is not able

14 to speak and understand the English language; (4) is the Governor,
15 Lieutenant Governor, Secretary of the State, Treasurer, Comptroller or
16 Attorney General; (5) is a judge of the Probate Court, Superior Court,
17 Appellate Court or Supreme Court, is a family support magistrate or is
18 a federal court judge; (6) is a member of the General Assembly,
19 provided such disqualification shall apply only while the General
20 Assembly is in session; (7) is seventy years of age or older and chooses
21 not to perform juror service; or (8) is incapable, by reason of a physical
22 or mental disability, of rendering satisfactory juror service. Any person
23 claiming a disqualification under subdivision (8) of this subsection
24 must submit to the Jury Administrator a letter from a licensed health
25 care provider stating the health care provider's opinion that such
26 disability prevents the person from rendering satisfactory juror service.
27 In reaching such opinion, the health care provider shall apply the
28 following guideline: A person shall be capable of rendering
29 satisfactory juror service if such person is able to perform a sedentary
30 job requiring close attention for six hours per day, with short work
31 breaks in the morning and afternoon sessions, for at least three
32 consecutive business days.

33 (b) The Jury Administrator may determine, in such manner and at
34 such times as the Jury Administrator deems feasible, whether any
35 person is qualified to serve as juror under this section and whether any
36 person may be excused for extreme hardship.

37 (c) The Jury Administrator shall have the authority to establish and
38 maintain a list of persons to be excluded from the summoning process,
39 which shall consist of (1) persons who are disqualified from serving on
40 jury duty on a permanent basis due to a disability for which a licensed
41 physician has submitted a letter stating the physician's opinion that
42 such disability permanently prevents the person from rendering
43 satisfactory jury service, (2) persons seventy years of age or older who
44 have requested not to be summoned, (3) elected officials enumerated
45 in subdivision (4) of subsection (a) of this section and judges
46 enumerated in subdivision (5) of subsection (a) of this section during
47 their term of office, and (4) persons excused from jury service pursuant

48 to section 51-217a who have not requested to be summoned for jury
49 service pursuant to said section. Persons requesting to be excluded
50 pursuant to subdivisions (1) and (2) of this subsection must provide
51 the Jury Administrator with their names, addresses, dates of birth and
52 federal Social Security numbers for use in matching. The request to be
53 excluded may be rescinded at any time with written notice to the Jury
54 Administrator.

55 (d) The Jury Administrator shall establish and maintain a list of
56 persons to be excluded from the summoning process for those criminal
57 matters which may include a charge of murder or manslaughter. Such
58 list shall consist of any person who requests to be excluded from such
59 summoning process because an immediate family member of the
60 person was the victim of murder or manslaughter. The request to be
61 excluded may be rescinded at any time with written notice to the Jury
62 Administrator. For the purposes of this subsection, "immediate family
63 member" means a spouse, child, sibling or parent.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2011	51-217
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JUD *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill requires the Jury Administration to establish and maintain a list of persons who have requested to be excluded from the jury summoning process because an immediate family member of the person was a victim of murder or manslaughter. It is expected the Judicial Department can comply with the provisions of the bill at no additional cost.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sSB 960*****AN ACT EXEMPTING IMMEDIATE FAMILY MEMBERS OF MURDER AND MANSLAUGHTER VICTIMS FROM THE JURY SUMMONING PROCESS IN CERTAIN CRIMINAL ACTIONS.*****SUMMARY:**

This bill allows a surviving family member of a murder or homicide victim to request to be excluded from the jury summoning process (i.e., being called for jury duty) for criminal cases that include a murder or manslaughter charge. The bill applies to people whose spouse, child, sibling, or parent was the victim of such a crime.

Under the bill, the jury administrator must create and maintain a list of people who are excluded from the jury summoning process for this reason. Someone who requests such an exclusion may rescind the request at any time, by providing written notice to the jury administrator. (The bill does not specify whether the initial request for exclusion must be in writing.)

EFFECTIVE DATE: October 1, 2011

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 45 Nay 0 (04/15/2011)